

ZB# 86-29

Sorbello / Lock

35-1-2

86-29 - Sorbello, Vincent / Lock, John & Marie

Indim.

8/11/86

Public Hearing

9/8/86.

Notice sent
8/15/86 ✓ to Sentinel

Ret - Get copy
of list.

Area variance
granted -
9/8/86

General Receipt

8051

TOWN OF NEW WINDSOR

555 Union Avenue
New Windsor, N. Y. 12550

September 8, 19 86

Received of

Patricia Sorbello

\$ 25.00

Twenty-five and 00/100

DOLLARS

For

Application for Variance Fees

DISTRIBUTION

| FUND | CODE | AMOUNT |
|----------------|------|--------------|
| <u>Ch# 927</u> | | <u>25.00</u> |
| | | |
| | | |

By

Parline G. Torosone
ES

Town Clerk

Title

Williamson Law Book Co., Rochester, N. Y. 14609

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 29

Request of VINCENT SORBELLO/JOHN & MARIE LOCK,

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit construction of one-family residential
dwelling with insufficient lot area,

being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-12 - Table of Bulk Regs.-Col. C
for property situated as follows:

East side of Riley Road, Town of New Windsor,
New York, known and designated as Tax Map
Section 35 - Block 1 - Lot 2.

SAID HEARING will take place on the 8th day of
September, 1986, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

JACK BABCOCK
Chairman

NEW WINDSOR ZONING BOARD OF APPEALS

-----X
In the Matter of the Application of
VINCENT SORBELLO/JOHN & MARIE LOCK

DECISION GRANTING
AREA VARIANCE

#86-29.
-----X

WHEREAS, JOHN LOCK and MARIE LOCK, 64 Chestnut Lane, Newburgh, N. Y. (owners) and VINCENT SORBELLO, R. D. #2, Riley Road, New Windsor, N. Y. 12550, (contract purchaser) have made application before the Zoning Board of Appeals for a 19,170 sq. ft. lot area variance for purposes of construction of a residential dwelling in an R-3 zone to be located on Riley Road in the Town of New Windsor, New York; and

WHEREAS, a public hearing was held on the 8th day of September, 1986 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant SORBELLO represented himself; and

WHEREAS, the application was unopposed;

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a residential dwelling in an R-3 zoning district with insufficient area.

3. The evidence presented by the applicant substantiated the fact that practical difficulty would be encountered if the applicant was denied the variances since there is no additional land which may be purchased in order for applicant to meet the bulk regulations in the R-3 zoning district.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty the variance requested is not granted due to the fact that if the bulk requirements were followed to the letter, an inadequate residential dwelling would be permitted.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is residential in nature.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 19,170 sq. ft. lot area variance in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 22, 1986.


Chairman

Prelim.
Aug. 11, 1986.
7:30 p.m.

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 7/23, 1986.

To Vincent SARBELLA (Contractor) -

RD #2 Riley Rd. Box 205 Tel. 524-7375

New Windsor N.Y. 12550

PLEASE TAKE NOTICE that your application dated 7/23, 1986.

for permit to Build Home

at the premises located at Riley Rd - R-3

is returned herewith and disapproved on the following grounds:

HAS 13,500 FT Need VARIANCE FOR 19,170 FT
Lot area variance needed of 19,170 sq. ft.

John F. Tanager Asst. Zoning Inspector
Building Inspector

| Requirements | Proposed or Available | Variance Request |
|-----------------------------|-----------------------|------------------|
| Min. Lot Area <u>32,670</u> | <u>13,500</u> | <u>19,170</u> |
| Min. Lot Width | | |

OFFICE OF ZONING - BUILDING INSPECTOR

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 7/23, 1986.

To Vincent Saebella (Contractor) -

RD #2 Riley Rd. Box 205 Tel. 524-7378

New Windsor N.Y. 12550

PLEASE TAKE NOTICE that your application dated 7/23, 1986.

for permit to Build Home

at the premises located at Riley Rd - R-3.

is returned herewith and disapproved on the following grounds:

HAS 13,500 FT. Need VARIANCE FOR 19,170 FT
Lot area Variance needed of 19,170 sq. ft.

John F. Hagan Asst. Zoning Inspector
 Building Inspector

| Requirements | Proposed or Available | Variance Request |
|-----------------------------|-----------------------|------------------|
| Min. Lot Area <u>32,670</u> | <u>13,500</u> | <u>19,170</u> |
| Min. Lot Width | | |
| Reqd. Front Yd. | | |
| Reqd. Side Yd. <u>1</u> | <u>1</u> | <u>1</u> |
| Reqd. Rear Yd. | | |
| Reqd. Street Frontage* | | |
| Max. Bldg. Hgt. | | |
| Min. Floor Area* | | |
| Dev. Coverage* % | % | % |
| Floor Area Ratio** | | |

* Residential Districts only

** Non-residential districts only

Name of Owner of Premises John + Marie Lock
Address 64 Chestnut Ln Newburgh, NY Phone
Name of Architect Jay Klein
Address 11 Garden Dr Phone
Name of Contractor Vincent Sorbello
Address RD #2 Riley Rd New Windsor Phone 564 7378
State whether applicant is owner, lessee, agent, architect, engineer or builder: Vincent Sorbello Builder
If applicant is a corporation, signature of duly authorized officer.

.....
(Name and title of corporate officer)

1. On what street is property located? On the East side of Riley Rd
(N. S. E. or W.)
and 1/2 mile from the intersection of RT 207
2. Zone or use district in which premises are situated R-3
3. Tax Map description of property: Section 35 Block 1 Lot 2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy b. Intended use and occupancy
5. Nature of work (check which applicable): New Building ☒ Addition Alteration Repair Removal
Demolition Other
6. Size of lot: Front 100' Rear 100' Depth 135'-155' Front Yard 50' Rear Yard 71' Side Yard 20' N - 36' S
Is this a corner lot? No
7. Dimensions of entire new construction: Front 44' Rear 44' Depth 24' Height 14' Number of stories 1
8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor
Number of bedrooms 3 Baths 1 Toilets 1
Heating Plant: Gas Oil ☒ Electric /Hot Air Hot Water ☒
If Garage, number of cars
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use
10. Estimated cost 45,000 Fee
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION — YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that

Address... RD#2 Riley Rd. New Windsor... Phone... 562-7518

State whether applicant is owner, lessee, agent, architect, engineer or builder... Vincent Sorbello Builder
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the East side of Riley Rd.
(N. S. E. or W.)
and 1/2 mile from the intersection of RT 207
2. Zone or use district in which premises are situated R-3
3. Tax Map description of property: Section 35 Block 1 Lot 2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy b. Intended use and occupancy
5. Nature of work (check which applicable): New Building ☒ Addition..... Alteration..... Repair..... Removal.....
Demolition..... Other.....
6. Size of lot: Front 100' Rear 100' Depth 135'-155' Front Yard 50' Rear Yard 71' Side Yard 20' N - 36 S
Is this a corner lot? No
7. Dimensions of entire new construction: Front 44' Rear 44' Depth 24' Height 14' Number of stories 1
8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor.....
Number of bedrooms 3 Baths 1 Toilets 1
Heating Plant: Gas..... Oil ☒ Electric...../Hot Air..... Hot Water ☒
If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost 45,000 Fee.....
(to be paid on filing this application)

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CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS — 565-8807

- 1—When excavating is complete and footing forms are in place (before pouring).
- 2—Foundation Inspection - check here for waterproofing and footing drains.
- 3—Inspect gravel base under concrete floors, and underslab Plumbing.
- 4—When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5—Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.
- 6—Driveway inspection must meet approval of town Highway Inspector.
- 7—\$20.00 charge for any site that calls for the same inspection twice.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

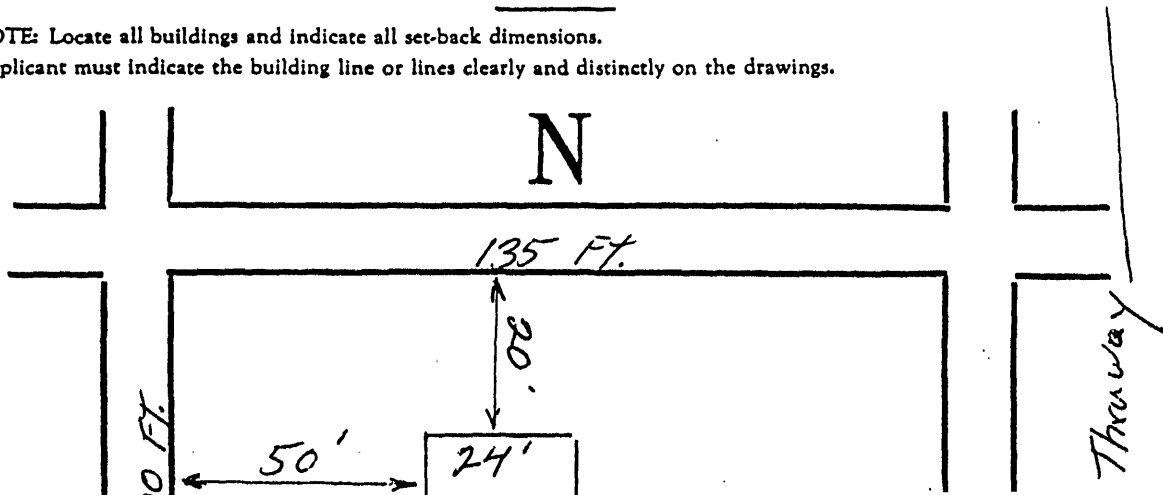
- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Richard L. Babcock RD # 2 Rte. 205 New Windsor
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

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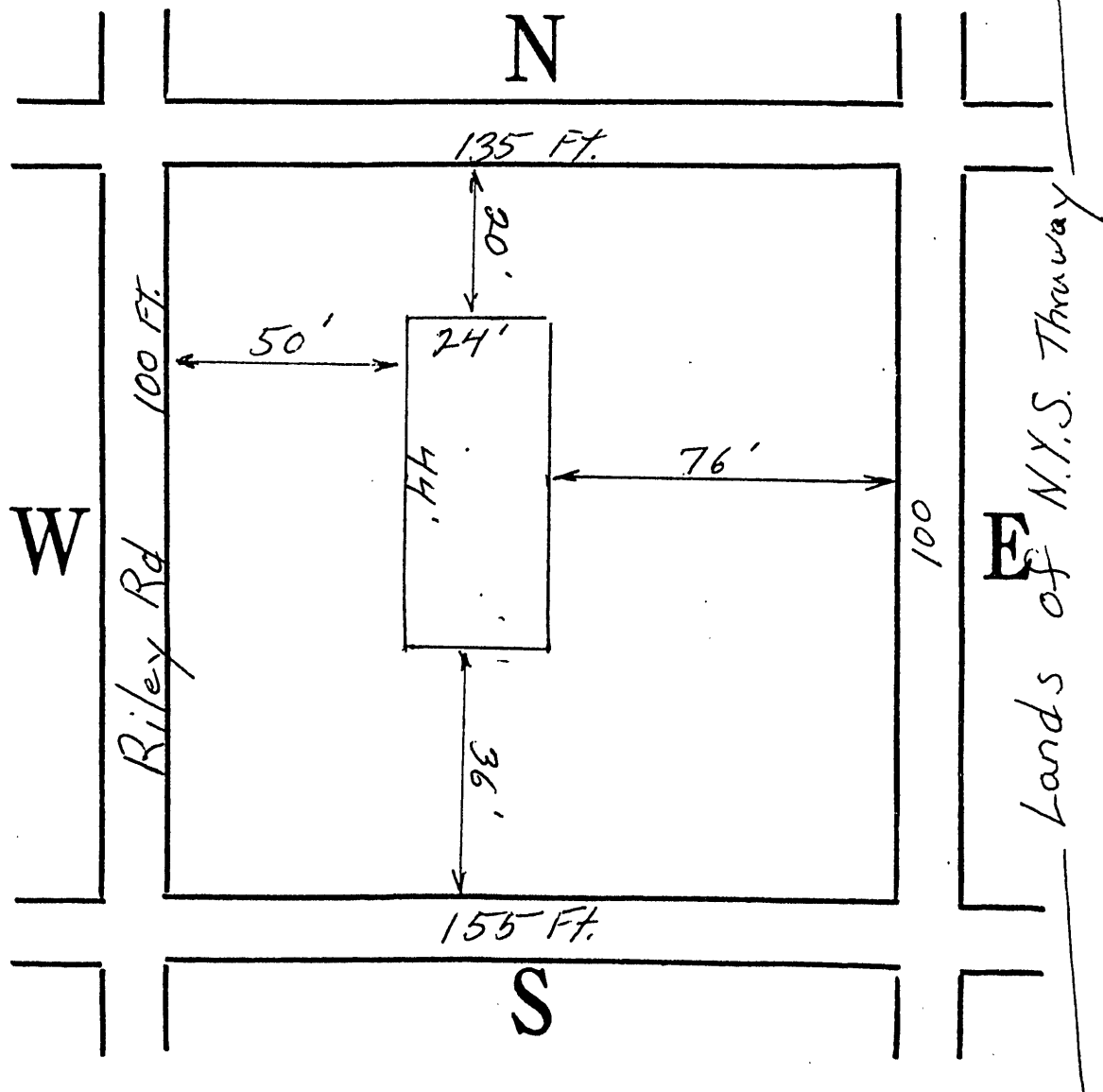
W. L. Riley
(Signature of Applicant)

RD #2 Riley, Red Box 205 New Windsor
(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

86-29

Date: 8/12/86

I. Applicant Information:

- (a) Vincent Sobello RD#2 Riley Rd. Box 205 New Windsor 5847378
(Name, address and phone of Applicant) (Owner)
- for (b) John and Marie Lock - owners
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Special Permit

III. Property Information:

- (a) R-3 RD#2 Riley Rd. 35-1-2 13,500
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 1982
- (e) Has property been subdivided previously? No When? -
- (f) Has property been subject of variance or special permit previously? No When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. ~~Use Variance: N/A~~

- ~~(a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) Build Single Family dwelling~~

- (b) ~~The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.~~

~~_____

_____~~

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Bulk Regs., Col. C.

| Requirements | Proposed or Available | Variance Request |
|------------------------------|-----------------------|------------------|
| Min. Lot Area <u>32,670</u> | <u>13,500</u> | <u>19,170</u> |
| Min. Lot Width _____ | _____ | _____ |
| Reqd. Front Yd. _____ | _____ | _____ |
| Reqd. Side Yd. <u>1</u> | <u>1</u> | <u>1</u> |
| Reqd. Rear Yd. _____ | _____ | _____ |
| Reqd. Street Frontage* _____ | <u>100 ft.</u> | _____ |
| Max. Bldg. Hgt. _____ | _____ | _____ |
| Min. Floor Area* _____ | _____ | _____ |
| Dev. Coverage* _____% | _____% | _____% |
| Floor Area Ratio** _____ | _____ | _____ |

* Residential Districts only

** Non-residential districts only

- ✓(b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

No land is available adjacent to this property, making it so that it could conform to R3 zone

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

| | Requirements | Proposed or Available | Variance Request |
|--------|--------------|-----------------------|------------------|
| Sign 1 | _____ | _____ | _____ |
| Sign 2 | _____ | _____ | _____ |
| Sign 3 | _____ | _____ | _____ |
| Sign 4 | _____ | _____ | _____ |
| Sign 5 | _____ | _____ | _____ |
| Total | _____ sq.ft. | _____ sq.ft. | _____ sq.ft. |

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

This will be a single family dwelling and will conform to all other properties surrounding it

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☒ *N/A* Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 25.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 8/12/86

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Art S. [Signature]
(Applicant)

Sworn to before me this

12th day of Aug, 1986.

Patricia Delio

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970775
Qualified in Orange County
Commission Expires March 30, 1987.

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

September 9, 1986

Mr. Vincent Sorbello
R. D. 32 - Riley Road
Box 205
New Windsor, N. Y. 12550

RE: APPLICATION FOR AREA VARIANCES
#86-29

Dear Vincent:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to grant the above request for an area variance. This decision was made at the September 8, 1986 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Best regards.

Very truly yours,

PATRICIA DELIO
Secretary to Zoning Bd. of Appeals

/pd

cc: Town Building Inspector
Planning Board



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

August 22, 1986

Re: 35-1-2

Dear Mr. Sorbello:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$35.00. Please remit the same to the Town Clerk, Town of New Windsor.

Very truly yours,

Christian E. Jahrling
JK

CHRISTIAN E. JAHLING IAO
SOLE ASSESSOR

CEJ/jk



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

①✓

Doescher Peter
RD2 Riley Rd
New Windsor NY 12550

⑨✓

State of New York
Dept of Public Works
Albany NY

②

Sorbello Vincent A
& Patricia A
RD 2 Riley Rd
New Windsor NY 12550

⑩✓

Lahey Kevin M
& Helen
RD 2 Riley Rd
New Windsor NY 12550

③

Fry Gordon W Jr
& Ian Moon Chin
24 Patton Rd
Newburgh NY 12550

⑪✓

Town of New Windsor
555 Union Ave
New Windsor NY 12550

④✓

Petronella Francesco
75 Harth Dr
New Windsor NY 12550

⑫✓

Salmeri Stephen
& Rose
RD 2 Riley Rd
New Windsor NY 12550

⑤✓

Sorbello Anthony
& Vincenzia L
RD2 Riley Rd
New Windsor NY 12550

⑬✓

Gray Edythe
RD2 Riley Rd
Box 206
New Windsor NY 12550

⑥✓

Conte Joseph R
& Mary Kirkpatrick
RD2 Box 204A
Riley Rd
New Windsor NY 12550

⑭✓

Marra Anthony
& Angelina
3507 32nd St
Astoria NY 11106

⑦✓

Cassiello Nancy J
& Gary J
204B Riley Rd
New Windsor NY 12550

⑮✓

Erontera Madelena G
RD 2 Riley Rd Box 286
New Windsor NY 12550

⑧✓

Infante Anthony S
& Byron T
RD2 Riley Rd
New Windsor NY 12550

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARING BEFORE THE ZBA - 9/8/86

DATE: August 22, 1986

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

KOLLER, JANET & KARL - Area Variances;

KAHN, BERNARD - Area variances;
(Applications previously submitted)

APOLLO LAND DEVELOPERS - Use & area Variances;

SORBELLO, VINCENT/LOCK, JOHN - Area variance;

BECHLE, NADINE & ROGER - Area variance.

I have attached hereto copies of the pertinent applications together with public hearing notices which were published in The Sentinel.

Patricia Delio, Secretary
Zoning Board of Appeals

/pd

Attachments